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ATTORNEYS FOR NON-PARTY WENDY HOWELL

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

SECURITIES AND EXCHANGE COMMISSION, Plaintiff, vs. NANCY R. HEINEN, Defendant.	Case No.: C-07-2214(JF) **[PROPOSED] ORDER GRANTING NON-PARTY WENDY HOWELL'S MOTION TO QUASH SUBPOENAS** Magistrate Judge Howard R. Lloyd Date: December 11, 2007 Time: 10:00 a.m. Dept: Courtroom 2, 5th Floor

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Having considered the briefs filed in support of, and in opposition, to Non-Party Wendy Howell's motion to quash subpoenas issued to several non-parties Bank of Alameda, Washington Mutual, Wells Fargo & Co., Western Sunrise Mortgage, California State University, Stanford University and her former employer (referred to herein as the "Investment Management Company"), as well as the arguments of counsel, the Court has determined that the subpoenas require disclosure of Ms. Howell's personal and private records, seek information irrelevant to the dispute and are overbroad. IT IS HEREBY ORDERED THAT the motion to quash the subpoenas served on these non-parties is GRANTED pursuant to Federal Rules of Civil Procedure 45(c)(1) and (3). The subpoenaed entities are hereby ORDERED not to produce any documents to Defendant Heinen or the SEC. All documents, copies of documents, and information derived from these documents received ahead of time by Defendant Heinen or the SEC in response to these subpoenas must be destroyed, and counsel shall file a certification within 10 days of this order with the Court of having done so.

Dated: _____________

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Hon. Howard R. Lloyd
UNITED STATES MAGISTRATE JUDGE

Respectfully Submitted By:

FOLEY AND LARDNER LLP

By: s/ Pamela L. Johnston
Pamela L. Johnston

Attorneys for Non-Party, Wendy Howell

CERTIFICATION

I, Erin Holland, am the ECF User whose identification and password are being used to file this [Proposed] Order Granting Non-Party Wendy Howell's Motion To Quash. In compliance with General Order 45.X.B., I hereby attest that Pamela L. Johnston has concurred in this filing.

DATED: November 2, 2007

FOLEY & LARDNER LLP

By: s/ Erin J. Holland
ERIN J. HOLLAND

ATTORNEYS FOR NON-PARTY,
WENDY HOWELL